

1. Amendment to Article VII, Section 2 (Easement for Declarant).

Article VII, Section 2 of the Declaration is hereby amended by adding the following subsection, which shall apply notwithstanding any other provision of the Declaration to the contrary:

“(d) Private Utility Easements Affecting Individual Lots. Notwithstanding anything contained in this Declaration to the contrary, no Owner shall grant, consent to, or enter into any private utility easement, right-of-way, license, or similar agreement that burdens or encumbers such Owner’s Lot (i) unless and until the prior written approval of the Board of Directors of the Association has been obtained, and (ii) where such easement, right-of-way, license, or agreement is not the result of a public taking or governmental requirement and is intended primarily or exclusively to provide utility service to, or otherwise benefit, real property that is not subject to the jurisdiction of the Association and not governed by this Declaration. Any private utility easement granted in violation of this subsection shall be voidable at the option of the Association, and the Association shall have all rights and remedies available at law or in equity to enforce this provision, including injunctive relief. Nothing herein shall be construed to limit or impair any easement required by law, public utility easement obtained through condemnation or similar governmental action, or any easement expressly approved in writing by the Board of Directors.”

2. Ratification.

Except as expressly amended hereby, all other terms and provisions of the Declaration shall remain unchanged and in full force and effect.

3. Effective Date; Recording.

This Amendment shall be effective upon recording in the land records of Cobb County, Georgia.

IN WITNESS WHEREOF, the undersigned officers of Essex Park Property Owners' Association Inc., hereby certify that the above amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for Essex Park was duly adopted by the required majority of the lot owners at Essex Park.

This 8 day of MARCH, 2026.

Sworn to and subscribed to before me this 8 day of MARCH 2026

ESSEX PARK PROPERTY OWNERS' ASSOCIATION, INC.

[Signature]
Witness

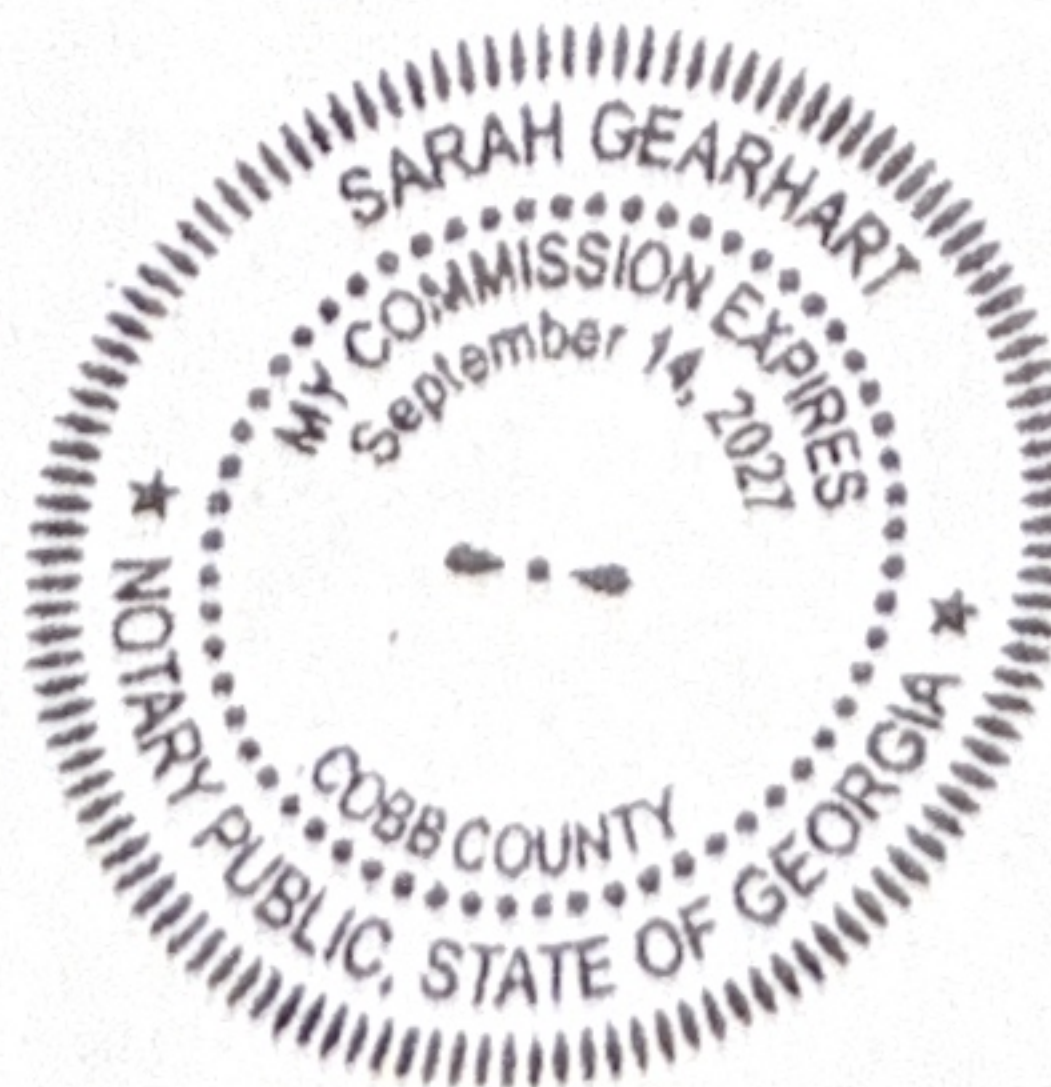
By: [Signature] (Seal)
President

Sarah Gearhart
Notary Public

Attest: Cassandra Celus
Secretary

My Commision Expires: 9/14/27

[Notary Seal]



[SPACE ABOVE RESERVED FOR RECORDING DATA]

Return to: Essex Park POA
707 Chanson Drive SW
Marietta, GA 30064

STATE OF GEORGIA
COUNTY OF COBB

Reference: Deed Book 11776
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**AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR ESSEX PARK SUBDIVISION**

(Amending Article VII, Section 2)

THIS AMENDMENT (this "Amendment") is made effective as of 8 MARCH, 2026,
by and among ESSEX PARK POA (the "Association"), and such other persons or
entities whose approval is required under the Declaration.

RECITALS

- A. WHEREAS, the Declaration of Covenants, Conditions and Restrictions (the "Declaration") was recorded in the land records of Cobb County, Georgia, and governs the real property subject to the Association;
- B. WHEREAS, Article VII of the Declaration is titled "Easements" and includes Section 2, captioned "Easement for Declarant";
- C. WHEREAS, the Association desires to clarify and limit the authority of individual Lot Owners to grant private utility easements burdening their Lots without prior approval of the Board of Directors;
- D. WHEREAS, at least two-thirds (2/3) of the lot owners entitled to cast votes approved this amendment to the Declaration;

NOW, THEREFORE, the Declaration is hereby amended as follows: